

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

MARIA ESTER GODINEZ, Personal
Representative of the Estate of ERIC
ISAAC VENEGAS GODINEZ,
Deceased,

Plaintiff,

v.

VHS WEST SUBURBAN MEDICAL
CENTER, INC. d/b/a WEST
SUBURBAN MEDICAL CENTER d/b/a
VANGUARD WEST SUBURBAN
MEDICAL CENTER; an Illinois
corporation;
KAROLE A. LAKOTA TREESE, M.D.;
DANIELLE KRAESSIG, C.N.M.;
CECELIA B. BACOM, C.N.M.; and,
PCC COMMUNITY WELLNESS
CENTER d/b/a PCC SOUTH FAMILY
HEALTH CENTER d/b/a PCC LAKE
STREET FAMILY HEALTH CENTER,
an Illinois corporation,

Defendants.

No.

Plaintiff Demands Trial By Jury

Attorney Affidavit Attached

Physician's Affidavits Attached

20141006807
CALENDAR ROOM 9
TIME 00:00
Medical Malpractice

FILED-1
2014 AUG 2 AM 9:17
DOUGLAS B. BACOM
CLERK OF CIRCUIT COURT
LAW DIVISION

COMPLAINT AT LAW

Plaintiff, MARIA ESTER GODINEZ, Personal Representative of the Estate of ERIC
ISAAC VENEGAS GODINEZ, Deceased, by and through her attorneys, Burke Wise Morrissey
& Kaveny, complaining of the defendants, states as follows:

FACTS COMMON TO ALL COUNTS

1. That on or about August 29, 2012, and at all times material herein, defendant,
KAROLE A. LAKOTA TREESE, M.D. was a physician licensed to practice medicine in the
state of Illinois, specializing in family medicine.

2. That on or about August 29, 2012, and at all times material herein, defendant, KAROLE A. LAKOTA TREESE, M.D. was an employee, officer, agent, and/or apparent agent of VHS WEST SUBURBAN MEDICAL CENTER, INC. d/b/a WEST SUBURBAN MEDICAL CENTER d/b/a VANGUARD WEST SUBURBAN MEDICAL CENTER ("VHS WEST SUBURBAN").

3. That on or about August 29, 2012, and at all times material herein, defendant, KAROLE A. LAKOTA TREESE, M.D. was an employee, officer, agent, and/or apparent agent of PCC COMMUNITY WELLNESS CENTER d/b/a PCC SOUTH FAMILY HEALTH CENTER d/b/a PCC LAKE STREET FAMILY HEALTH CENTER ("PCC HEALTH").

4. That on or about August 29, 2012, and at all times material herein, defendant, DANIELLE KRAESSIG, C.N.M. was a Nurse Midwife certified in the state of Illinois

5. That on or about August 29, 2012, and at all times material herein, defendant, DANIELLE KRAESSIG, C.N.M. was an employee, officer, agent, and/or apparent agent of VHS WEST SUBURBAN.

6. That on or about August 29, 2012, and at all times material herein, defendant, DANIELLE KRAESSIG, C.N.M. was an employee, officer, agent, and/or apparent agent PCC HEALTH.

7. That on or about August 29, 2012, and at all times material herein, defendant, CECILIA B. BACOM, C.N.M. was a Nurse Midwife certified in the state of Illinois

8. That on or about August 29, 2012, and at all times material herein, defendant, CECILIA B. BACOM, C.N.M. was an employee, officer, agent, and/or apparent agent of VHS WEST SUBURBAN.

9. That on or about August 29, 2012, and at all times material herein, defendant, CECELIA B. BACOM, C.N.M. was an employee, officer, agent, and/or apparent agent PCC HEALTH.

10. That on and before August 29, 2012, and at all times material hereto, defendant, VHS WEST SUBURBAN, employed nurses, physicians, technicians and other health care providers in Oak Park, Illinois.

11. That on and before August 29, 2012, and at all times material hereto, defendant, VHS WEST SUBURBAN, held themselves out to the public and plaintiff, MARIA ESTER GODINEZ, as having skilled health care workers.

12. That on or about August 9, 2012, plaintiff, MARIA ESTER GODINEZ, was 41.1 weeks pregnant.

13. That on or about August 9, 2012, plaintiff, MARIA ESTER GODINEZ, was admitted to defendant, VHS WEST SUBURBAN, for the purpose of management of her pregnancy.

14. That on or about August 9, 2012, defendant, TREESE, was the attending physician for plaintiff, MARIA ESTER GODINEZ.

15. That on or about August 9, 2012, plaintiff, MARIA ESTER GODINEZ, received medical care and treatment from defendant, KRAESSIG.

16. That on or about August 9, 2012, plaintiff, MARIA ESTER GODINEZ, received medical care and treatment from defendant, BACOM.

17. That on or about August 9, 2012, plaintiff, MARIA ESTER GODINEZ, received care from the nursing staff at defendant, VHS WEST SUBURBAN.

18. That on or about August 10, 2012, plaintiff, MARIA ESTER GODINEZ, underwent a C-section surgery for delivery of her son, ISAAC VENEGAS GODINEZ.

COUNT I

Karole A. Lakota Treese, M.D. – Survival Action

Plaintiff, MARIA ESTER GODINEZ, Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, by and through her attorneys, Burke Wise Morrissey & Kaveny, complaining of defendant, KAROLE A. LAKOTA TREESE, M.D. ("TREESE"), states as follows:

1.-18. Plaintiff restates, realleges and specifically incorporates paragraphs 1 through 18 as though fully set forth in this Count I.

19. That on August 9, 2012, defendant, TREESE, was negligent in one or more of the following respects:

- (a) Failed to properly manage prolonged second stage of labor;
- (b) Failed to insert internal fetal monitoring in a VBAC patient with repetitive decelerations;
- (c) Failed to act timely upon repetitive decelerations in a VBAC patient;
- (d) Failed to present for a bedside evaluation during protracted active stage of labor;
- (e) Failed to have a competent surgeon present to perform a repeat cesarean section and;
- (f) Negligently caused surgical trauma by creating a vesicovaginal fistula when she lacerated the bladder anteriorly and posteriorly.

20. That as a direct and proximate result of one or more of the above-mentioned negligent acts or omissions by defendant, TREESE, plaintiff's decedent, ERIC ISAAC VENEGAS GODINEZ, suffered injuries of a personal and pecuniary nature resulting in his death on August 29, 2012.

21. Plaintiff, MARIA ESTER GODINEZ, Individually and as Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, and the decedent's mother brings this cause of action on behalf of the Estate, pursuant to 755 ILCS 5/27-6, commonly known as the Illinois Survival Act.

22. That plaintiff's decedent, ERIC ISAAC VENEGAS GODINEZ, left surviving his mother, Maria Ester Godinez (DOB: 03/02/1982); his father, Aldolfo Venegas (DOB: 03/02/1979); his brother, Jorge Luis Venegas (DOB: 01/09/2007); and, his sister, Vanessa Venegas (DOB: 09/26/2008).

23. Pursuant to the Illinois Code of Civil Procedure, Section 2-622, the Affidavit of the attorney for the plaintiff is attached hereto as Exhibit A, along with a report of a qualified health professional as Exhibit B.

WHEREFORE, plaintiff, MARIA ESTER GODINEZ, Individually and as Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, demands judgment against defendant, KAROLE A. LAKOTA TREESE, M.D., for a sum in excess of the jurisdictional limits of the Circuit Court of Cook County, Illinois.

COUNT II

Karole A. Lakota Treeese, M.D. – Wrongful Death

Plaintiff, MARIA ESTER GODINEZ, Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, by and through her attorneys, Burke Wise Morrissey & Kaveny, complaining of defendant, KAROLE A. LAKOTA TREESE, M.D. ("TREESE"), states as follows:

1.-18. Plaintiff restates, realleges and specifically incorporates paragraphs 1 through 18 as though fully set forth in this Count II.

19. That on August 9, 2012, defendant, TREESE, was negligent in one or more of the following respects:

- (a) Failed to properly manage prolonged second stage of labor;
- (b) Failed to insert internal fetal monitoring in a VBAC patient with repetitive decelerations;
- (c) Failed to act timely upon repetitive decelerations in a VBAC patient;
- (d) Failed to present for a bedside evaluation during protracted active stage of labor;
- (e) Failed to have a competent surgeon present to perform a repeat cesarean section and;
- (f) Negligently caused surgical trauma by creating a vesicovaginal fistula when she lacerated the bladder anteriorly and posteriorly.

20. That as a direct and proximate result of one or more of the above-mentioned negligent acts or omissions by defendant, Treese, plaintiff's decedent, ERIC ISAAC VENEGAS GODINEZ, suffered injuries of a personal and pecuniary nature resulting in his death on August 29, 2012.

21. Plaintiff, MARIA ESTER GODINEZ, brings this cause of action on behalf of the estate of the deceased pursuant to 740 ILCS 180/1 commonly known as the Illinois Wrongful Death Act.

22. Pursuant to the Illinois Code of Civil Procedure, Section 2-622, the Affidavit of the attorney for the plaintiff is attached hereto as Exhibit A, along with a report of a qualified health professional as Exhibit B.

WHEREFORE, plaintiff, MARIA ESTER GODINEZ, Individually and as Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, demands judgment against defendant, KAROLE A. LAKOTA TREESE, M.D., for a sum in excess of the jurisdictional limits of the Circuit Court of Cook County, Illinois.

COUNT III

PCC Community Wellness Center d/b/a PCC South Family Health Center d/b/a PCC Lake Street Family Health Center – Agency – Karole A. Lakota Treese, M.D. – Survival Action

Plaintiff, MARIA ESTER GODINEZ, Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, by and through her attorneys, Burke Wise Morrissey & Kaveny, complaining of defendant, PCC COMMUNITY WELLNESS CENTER d/b/a PCC SOUTH FAMILY HEALTH CENTER d/b/a PCC LAKE STREET FAMILY HEALTH CENTER (“PCC HEALTH”), states as follows:

1.-18. Plaintiff restates, realleges and specifically incorporates paragraphs 1 through 18 as though fully set forth in this Count III.

19. That on August 9, 2012, defendant, PCC HEALTH, by and through the acts and/or omissions of its agent, servant, employee and/or apparent agent, defendant, KAROLE A. LAKOTA TREESE, M.D., was negligent in one or more of the following respects:

- (a) Failed to properly manage prolonged second stage of labor;
- (b) Failed to insert internal fetal monitoring in a VBAC patient with repetitive decelerations;
- (c) Failed to act timely upon repetitive decelerations in a VBAC patient;
- (d) Failed to present for a bedside evaluation during protracted active stage of labor;
- (e) Failed to have a competent surgeon present to perform a repeat cesarean section and;
- (f) Negligently caused surgical trauma by creating a vesicovaginal fistula when she lacerated the bladder anteriorly and posteriorly.

20. That as a direct and proximate result of one or more of the above-mentioned negligent acts or omissions by defendant, PCC HEALTH, by and through the acts and/or omissions of its agent, servant, employee and/or apparent agent, defendant, KAROLE A.

LAKOTA TREESE, M.D., plaintiff's decedent, ERIC ISAAC VENEGAS GODINEZ, suffered injuries of a personal and pecuniary nature resulting in his death on August 29, 2012.

21. Plaintiff, MARIA ESTER GODINEZ, Individually and as Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, and the decedent's mother brings this cause of action on behalf of the Estate, pursuant to 755 ILCS 5/27-6, commonly known as the Illinois Survival Act.

22. That plaintiff's decedent, ERIC ISAAC VENEGAS GODINEZ, left surviving his mother, Maria Ester Godinez (DOB: 03/02/1982); his father, Aldolfo Venegas (DOB: 03/02/1979); his brother, Jorge Luis Venegas (DOB: 01/09/2007); and, his sister, Vanessa Venegas (DOB: 09/26/2008).

23. Pursuant to the Illinois Code of Civil Procedure, Section 2-622, the Affidavit of the attorney for the plaintiff is attached hereto as Exhibit A, along with a report of a qualified health professional as Exhibit B.

WHEREFORE, plaintiff, MARIA ESTER GODINEZ, Individually and as Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, demands judgment against defendant, PCC COMMUNITY WELLNESS CENTER d/b/a PCC SOUTH FAMILY HEALTH CENTER d/b/a PCC LAKE STREET FAMILY HEALTH CENTER, for a sum in excess of the jurisdictional limits of the Circuit Court of Cook County, Illinois.

COUNT IV

PCC Community Wellness Center d/b/a PCC South Family Health Center d/b/a PCC Lake Street Family Health Center – Agency – Karole A. Lakota Treese, M.D. – Wrongful Death

Plaintiff, MARIA ESTER GODINEZ, Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, by and through her attorneys, Burke Wise Morrissey & Kaveny, complaining of defendant, Deceased, by and through her attorneys, Burke Wise

Morrissey & Kaveny, complaining of defendant, PCC COMMUNITY WELLNESS CENTER d/b/a PCC SOUTH FAMILY HEALTH CENTER d/b/a PCC LAKE STREET FAMILY HEALTH CENTER ("PCC HEALTH"), states as follows:

1.-18. Plaintiff restates, realleges and specifically incorporates paragraphs 1 through 18 as though fully set forth in this Count IV.

19. That on August 9, 2012, defendant, PCC HEALTH, by and through the acts and/or omissions of its agent, servant, employee and/or apparent agent, defendant, KAROLE A. LAKOTA TREESE, M.D., was negligent in one or more of the following respects:

- (a) Failed to properly manage prolonged second stage of labor;
- (b) Failed to insert internal fetal monitoring in a VBAC patient with repetitive decelerations;
- (c) Failed to act timely upon repetitive decelerations in a VBAC patient;
- (d) Failed to present for a bedside evaluation during protracted active stage of labor;
- (e) Failed to have a competent surgeon present to perform a repeat cesarean section and;
- (f) Negligently caused surgical trauma by creating a vesicovaginal fistula when she lacerated the bladder anteriorly and posteriorly.

20. That as a direct and proximate result of one or more of the above-mentioned negligent acts or omissions by defendant, PCC HEALTH, by and through the acts and/or omissions of its agent, servant, employee and/or apparent agent, defendant, KAROLE A. LAKOTA TREESE, M.D., plaintiff's decedent, ERIC ISAAC VENEGAS GODINEZ, suffered injuries of a personal and pecuniary nature resulting in his death on August 29, 2012.

21. Plaintiff, MARIA ESTER GODINEZ, brings this cause of action on behalf of the estate of the deceased pursuant to 740 ILCS 180/1 commonly known as the Illinois Wrongful Death Act.

22. Pursuant to the Illinois Code of Civil Procedure, Section 2-622, the Affidavit of the attorney for the plaintiff is attached hereto as Exhibit A, along with a report of a qualified health professional as Exhibit B.

WHEREFORE, plaintiff, MARIA ESTER GODINEZ, Individually and as Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, demands judgment against defendant, PCC COMMUNITY WELLNESS CENTER d/b/a PCC SOUTH FAMILY HEALTH CENTER d/b/a PCC LAKE STREET FAMILY HEALTH CENTER, for a sum in excess of the jurisdictional limits of the Circuit Court of Cook County, Illinois.

COUNT V

Danielle Kraessig, C.N.M. – Survival Action

Plaintiff, MARIA ESTER GODINEZ, Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, by and through her attorneys, Burke Wise Morrissey & Kaveny, complaining of defendant, DANIELLE KRAESSIG, C.N.M. ("KRAESSIG"), states as follows:

1.-18. Plaintiff restates, realleges and specifically incorporates paragraphs 1 through 18 as though fully set forth in this Count V.

19. That on August 9, 2012, defendant, KRAESSIG, was negligent in one or more of the following respects:

- (a) Failed to properly manage prolonged second stage of labor;
- (b) Failed to insert internal fetal monitoring in a VBAC patient with repetitive decelerations;
- (c) Failed to act timely upon repetitive decelerations in a VBAC patient;
- (d) Failed to present for a bedside evaluation during protracted active stage of labor;

- (e) Failed to have a competent surgeon present to perform a repeat cesarean section and;
- (f) Negligently caused surgical trauma by creating a vesicovaginal fistula when she lacerated the bladder anteriorly and posteriorly.

20. That as a direct and proximate result of one or more of the above-mentioned negligent acts or omissions by defendant, KRAESSIG, plaintiff's decedent, ERIC ISAAC VENEGAS GODINEZ, suffered injuries of a personal and pecuniary nature resulting in his death on August 29, 2012.

21. Plaintiff, MARIA ESTER GODINEZ, Individually and as Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, and the decedent's mother brings this cause of action on behalf of the Estate, pursuant to 755 ILCS 5/27-6, commonly known as the Illinois Survival Act.

22. That plaintiff's decedent, ERIC ISAAC VENEGAS GODINEZ, left surviving his mother, Maria Ester Godinez (DOB: 03/02/1982); his father, Aldolfo Venegas (DOB: 03/02/1979); his brother, Jorge Luis Venegas (DOB: 01/09/2007); and, his sister, Vanessa Venegas (DOB: 09/26/2008).

23. Pursuant to the Illinois Code of Civil Procedure, Section 2-622, the Affidavit of the attorney for the plaintiff is attached hereto as Exhibit A, along with a report of a qualified health professional as Exhibit B.

WHEREFORE, plaintiff, MARIA ESTER GODINEZ, Individually and as Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, demands judgment against defendant, DANIELLE KRAESSIG, C.N.M., for a sum in excess of the jurisdictional limits of the Circuit Court of Cook County, Illinois.

COUNT VI

Danielle Kraessig, C.N.M. – Wrongful Death

Plaintiff, MARIA ESTER GODINEZ, Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, by and through her attorneys, Burke Wise Morrissey & Kaveny, complaining of defendant, DANIELLE KRAESSIG, C.N.M. ("KRAESSIG"), states as follows:

1.-18. Plaintiff restates, realleges and specifically incorporates paragraphs 1 through 18 as though fully set forth in this Count VI.

19. That on August 9, 2012, defendant, KRAESSIG, was negligent in one or more of the following respects:

- (a) Failed to properly manage prolonged second stage of labor;
- (b) Failed to insert internal fetal monitoring in a VBAC patient with repetitive decelerations;
- (c) Failed to act timely upon repetitive decelerations in a VBAC patient;
- (d) Failed to present for a bedside evaluation during protracted active stage of labor;
- (e) Failed to have a competent surgeon present to perform a repeat cesarean section and;
- (f) Negligently caused surgical trauma by creating a vesicovaginal fistula when she lacerated the bladder anteriorly and posteriorly.

20. That as a direct and proximate result of one or more of the above-mentioned negligent acts or omissions by defendant, KRAESSIG, plaintiff's decedent, ERIC ISAAC VENEGAS GODINEZ, suffered injuries of a personal and pecuniary nature resulting in his death on August 29, 2012.

21. Plaintiff, MARIA ESTER GODINEZ, brings this cause of action on behalf of the estate of the deceased pursuant to 740 ILCS 180/1 commonly known as the Illinois Wrongful Death Act.

22. Pursuant to the Illinois Code of Civil Procedure, Section 2-622, the Affidavit of the attorney for the plaintiff is attached hereto as Exhibit A, along with a report of a qualified health professional as Exhibit B.

WHEREFORE, plaintiff, MARIA ESTER GODINEZ, Individually and as Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, demands judgment against defendant, DANIELLE KRAESSIG, C.N.M., for a sum in excess of the jurisdictional limits of the Circuit Court of Cook County, Illinois.

COUNT VII

PCC Community Wellness Center d/b/a PCC South Family Health Center d/b/a PCC Lake Street Family Health Center – Agency – Danielle Kraessig, C.N.M. – Survival Action

Plaintiff, MARIA ESTER GODINEZ, Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, by and through her attorneys, Burke Wise Morrissey & Kaveny, complaining of defendant, PCC COMMUNITY WELLNESS CENTER d/b/a PCC SOUTH FAMILY HEALTH CENTER d/b/a PCC LAKE STREET FAMILY HEALTH CENTER (“PCC HEALTH”), states as follows:

1.-18. Plaintiff restates, realleges and specifically incorporates paragraphs 1 through 18 as though fully set forth in this Count VII.

19. That on August 9, 2012, defendant, PCC HEALTH, by and through the acts and/or omissions of its agent, servant, employee and/or apparent agent, defendant, DANIELLE KRAESSIG, C.N.M., was negligent in one or more of the following respects:

- (a) Failed to properly manage prolonged second stage of labor;

- (b) Failed to insert internal fetal monitoring in a VBAC patient with repetitive decelerations;
- (c) Failed to act timely upon repetitive decelerations in a VBAC patient;
- (d) Failed to present for a bedside evaluation during protracted active stage of labor;
- (e) Failed to have a competent surgeon present to perform a repeat cesarean section and;
- (f) Negligently caused surgical trauma by creating a vesicovaginal fistula when she lacerated the bladder anteriorly and posteriorly.

20. That as a direct and proximate result of one or more of the above-mentioned negligent acts or omissions by defendant, PCC HEALTH, by and through the acts and/or omissions of its agent, servant, employee and/or apparent agent, defendant, DANIELLE KRAESSIG, C.N.M., plaintiff's decedent, ERIC ISAAC VENEGAS GODINEZ, suffered injuries of a personal and pecuniary nature resulting in his death on August 29, 2012.

21. Plaintiff, MARIA ESTER GODINEZ, Individually and as Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, and the decedent's mother brings this cause of action on behalf of the Estate, pursuant to 755 ILCS 5/27-6, commonly known as the Illinois Survival Act.

22. That plaintiff's decedent, ERIC ISAAC VENEGAS GODINEZ, left surviving his mother, Maria Ester Godinez (DOB: 03/02/1982); his father, Aldofo Venegas (DOB: 03/02/1979); his brother, Jorge Luis Venegas (DOB: 01/09/2007); and, his sister, Vanessa Venegas (DOB: 09/26/2008).

23. Pursuant to the Illinois Code of Civil Procedure, Section 2-622, the Affidavit of the attorney for the plaintiff is attached hereto as Exhibit A, along with a report of a qualified health professional as Exhibit B.

WHEREFORE, plaintiff, MARIA ESTER GODINEZ, Individually and as Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, demands judgment against defendant, PCC COMMUNITY WELLNESS CENTER d/b/a PCC SOUTH FAMILY HEALTH CENTER d/b/a PCC LAKE STREET FAMILY HEALTH CENTER, for a sum in excess of the jurisdictional limits of the Circuit Court of Cook County, Illinois.

COUNT VIII

PCC Community Wellness Center d/b/a PCC South Family Health Center d/b/a PCC Lake Street Family Health Center – Agency – Danielle Kraessig, C.N.M. – Wrongful Death

Plaintiff, MARIA ESTER GODINEZ, Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, by and through her attorneys, Burke Wise Morrissey & Kaveny, complaining of defendant, Deceased, by and through her attorneys, Burke Wise Morrissey & Kaveny, complaining of defendant, PCC COMMUNITY WELLNESS CENTER d/b/a PCC SOUTH FAMILY HEALTH CENTER d/b/a PCC LAKE STREET FAMILY HEALTH CENTER (“PCC HEALTH”), states as follows:

1.-18. Plaintiff restates, realleges and specifically incorporates paragraphs 1 through 18 as though fully set forth in this Count VIII.

19. That on August 9, 2012, defendant, PCC HEALTH, by and through the acts and/or omissions of its agent, servant, employee and/or apparent agent, defendant, DANIELLE KRAESSIG, C.N.M., was negligent in one or more of the following respects:

- (a) Failed to properly manage prolonged second stage of labor;
- (b) Failed to insert internal fetal monitoring in a VBAC patient with repetitive decelerations;
- (c) Failed to act timely upon repetitive decelerations in a VBAC patient;
- (d) Failed to present for a bedside evaluation during protracted active stage of labor;

- (e) Failed to have a competent surgeon present to perform a repeat cesarean section and;
- (f) Negligently caused surgical trauma by creating a vesicovaginal fistula when she lacerated the bladder anteriorly and posteriorly.

20. That as a direct and proximate result of one or more of the above-mentioned negligent acts or omissions by defendant, PCC HEALTH, by and through the acts and/or omissions of its agent, servant, employee and/or apparent agent, defendant, DANIELLE KRAESSIG, C.N.M., plaintiff's decedent, ERIC ISAAC VENEGAS GODINEZ, suffered injuries of a personal and pecuniary nature resulting in his death on August 29, 2012.

21. Plaintiff, MARIA ESTER GODINEZ, brings this cause of action on behalf of the estate of the deceased pursuant to 740 ILCS 180/1 commonly known as the Illinois Wrongful Death Act.

22. Pursuant to the Illinois Code of Civil Procedure, Section 2-622, the Affidavit of the attorney for the plaintiff is attached hereto as Exhibit A, along with a report of a qualified health professional as Exhibit B.

WHEREFORE, plaintiff, MARIA ESTER GODINEZ, Individually and as Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, demands judgment against defendant, PCC COMMUNITY WELLNESS CENTER d/b/a PCC SOUTH FAMILY HEALTH CENTER d/b/a PCC LAKE STREET FAMILY HEALTH CENTER, for a sum in excess of the jurisdictional limits of the Circuit Court of Cook County, Illinois.

COUNT IX

Cecelia B. Bacom, C.N.M. – Survival Action

Plaintiff, MARIA ESTER GODINEZ, Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, by and through her attorneys, Burke Wise Morrissey

& Kaveny, complaining of defendant, CECELIA B. BACOM, C.N.M. ("BACOM"), states as follows:

1.-18. Plaintiff restates, realleges and specifically incorporates paragraphs 1 through 18 as though fully set forth in this Count IX.

19. That on August 9, 2012, defendant, BACOM, was negligent in one or more of the following respects:

- (a) Failed to properly manage prolonged second stage of labor;
- (b) Failed to insert internal fetal monitoring in a VBAC patient with repetitive decelerations;
- (c) Failed to act timely upon repetitive decelerations in a VBAC patient;
- (d) Failed to present for a bedside evaluation during protracted active stage of labor;
- (e) Failed to have a competent surgeon present to perform a repeat cesarean section and;
- (f) Negligently caused surgical trauma by creating a vesicovaginal fistula when she lacerated the bladder anteriorly and posteriorly.

20. That as a direct and proximate result of one or more of the above-mentioned negligent acts or omissions by defendant, BACOM, plaintiff's decedent, ERIC ISAAC VENEGAS GODINEZ, suffered injuries of a personal and pecuniary nature resulting in his death on August 29, 2012.

21. Plaintiff, MARIA ESTER GODINEZ, Individually and as Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, and the decedent's mother brings this cause of action on behalf of the Estate, pursuant to 755 ILCS 5/27-6, commonly known as the Illinois Survival Act.

22. That plaintiff's decedent, ERIC ISAAC VENEGAS GODINEZ, left surviving his mother, Maria Ester Godinez (DOB: 03/02/1982); his father, Aldo Venegas (DOB:

03/02/1979); his brother, Jorge Luis Venegas (DOB: 01/09/2007); and, his sister, Vanessa Venegas (DOB: 09/26/2008).

23. Pursuant to the Illinois Code of Civil Procedure, Section 2-622, the Affidavit of the attorney for the plaintiff is attached hereto as Exhibit A, along with a report of a qualified health professional as Exhibit B.

WHEREFORE, plaintiff, MARIA ESTER GODINEZ, Individually and as Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, demands judgment against defendant, CECELIA B. BACOM, C.N.M., for a sum in excess of the jurisdictional limits of the Circuit Court of Cook County, Illinois.

COUNT X

Cecelia B. Bacom, C.N.M. – Wrongful Death

Plaintiff, MARIA ESTER GODINEZ, Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, by and through her attorneys, Burke Wise Morrissey & Kaveny, complaining of defendant, CECELIA B. BACOM, C.N.M. ("BACOM"), states as follows:

1.-18. Plaintiff restates, realleges and specifically incorporates paragraphs 1 through 18 as though fully set forth in this Count X.

19. That on August 9, 2012, defendant, BACOM, was negligent in one or more of the following respects:

- (a) Failed to properly manage prolonged second stage of labor;
- (b) Failed to insert internal fetal monitoring in a VBAC patient with repetitive decelerations;
- (c) Failed to act timely upon repetitive decelerations in a VBAC patient;
- (d) Failed to present for a bedside evaluation during protracted active stage of labor;

- (e) Failed to have a competent surgeon present to perform a repeat cesarean section and;
- (f) Negligently caused surgical trauma by creating a vesicovaginal fistula when she lacerated the bladder anteriorly and posteriorly.

20. That as a direct and proximate result of one or more of the above-mentioned negligent acts or omissions by defendant, BACOM, plaintiff's decedent, ERIC ISAAC VENEGAS GODINEZ, suffered injuries of a personal and pecuniary nature resulting in his death on August 29, 2012.

21. Plaintiff, MARIA ESTER GODINEZ, brings this cause of action on behalf of the estate of the deceased pursuant to 740 ILCS 180/1 commonly known as the Illinois Wrongful Death Act.

22. Pursuant to the Illinois Code of Civil Procedure, Section 2-622, the Affidavit of the attorney for the plaintiff is attached hereto as Exhibit A, along with a report of a qualified health professional as Exhibit B.

WHEREFORE, plaintiff, MARIA ESTER GODINEZ, Individually and as Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, demands judgment against defendant, CECELIA B. BACOM, C.N.M., for a sum in excess of the jurisdictional limits of the Circuit Court of Cook County, Illinois.

COUNT XI

PCC Community Wellness Center d/b/a PCC South Family Health Center d/b/a PCC Lake Street Family Health Center – Agency – Cecelia B. Bacom, C.N.M. – Survival Action

Plaintiff, MARIA ESTER GODINEZ, Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, by and through her attorneys, Burke Wise Morrissey & Kaveny, complaining of defendant, PCC COMMUNITY WELLNESS CENTER d/b/a PCC

SOUTH FAMILY HEALTH CENTER d/b/a PCC LAKE STREET FAMILY HEALTH CENTER ("PCC HEALTH"), states as follows:

1.-18. Plaintiff restates, realleges and specifically incorporates paragraphs 1 through 18 as though fully set forth in this Count XI.

19. That on August 9, 2012, defendant, PCC HEALTH, by and through the acts and/or omissions of its agent, servant, employee and/or apparent agent, defendant, CECELIA B. BACOM, C.N.M., was negligent in one or more of the following respects:

- (a) Failed to properly manage prolonged second stage of labor;
- (b) Failed to insert internal fetal monitoring in a VBAC patient with repetitive decelerations;
- (c) Failed to act timely upon repetitive decelerations in a VBAC patient;
- (d) Failed to present for a bedside evaluation during protracted active stage of labor;
- (e) Failed to have a competent surgeon present to perform a repeat cesarean section and;
- (f) Negligently caused surgical trauma by creating a vesicovaginal fistula when she lacerated the bladder anteriorly and posteriorly.

20. That as a direct and proximate result of one or more of the above-mentioned negligent acts or omissions by defendant, PCC HEALTH, by and through the acts and/or omissions of its agent, servant, employee and/or apparent agent, defendant, CECELIA B. BACOM, C.N.M., plaintiff's decedent, ERIC ISAAC VENEGAS GODINEZ, suffered injuries of a personal and pecuniary nature resulting in his death on August 29, 2012.

21. Plaintiff, MARIA ESTER GODINEZ, Individually and as Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, and the decedent's mother brings this cause of action on behalf of the Estate, pursuant to 755 ILCS 5/27-6, commonly known as the Illinois Survival Act.

22. That plaintiff's decedent, ERIC ISAAC VENEGAS GODINEZ, left surviving his mother, Maria Ester Godinez (DOB: 03/02/1982); his father, Aldolfo Venegas (DOB: 03/02/1979); his brother, Jorge Luis Venegas (DOB: 01/09/2007); and, his sister, Vanessa Venegas (DOB: 09/26/2008).

23. Pursuant to the Illinois Code of Civil Procedure, Section 2-622, the Affidavit of the attorney for the plaintiff is attached hereto as Exhibit A, along with a report of a qualified health professional as Exhibit B.

WHEREFORE, plaintiff, MARIA ESTER GODINEZ, Individually and as Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, demands judgment against defendant, PCC COMMUNITY WELLNESS CENTER d/b/a PCC SOUTH FAMILY HEALTH CENTER d/b/a PCC LAKE STREET FAMILY HEALTH CENTER, for a sum in excess of the jurisdictional limits of the Circuit Court of Cook County, Illinois.

COUNT XII

PCC Community Wellness Center d/b/a PCC South Family Health Center d/b/a PCC Lake Street Family Health Center – Agency – Cecelia B. Bacom, C.N.M. – Wrongful Death

Plaintiff, MARIA ESTER GODINEZ, Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, by and through her attorneys, Burke Wise Morrissey & Kaveny, complaining of defendant, Deceased, by and through her attorneys, Burke Wise Morrissey & Kaveny, complaining of defendant, PCC COMMUNITY WELLNESS CENTER d/b/a PCC SOUTH FAMILY HEALTH CENTER d/b/a PCC LAKE STREET FAMILY HEALTH CENTER ("PCC HEALTH"), states as follows:

1.-18. Plaintiff restates, realleges and specifically incorporates paragraphs 1 through 18 as though fully set forth in this Count XII.

19. That on August 9, 2012, defendant, PCC HEALTH, by and through the acts and/or omissions of its agent, servant, employee and/or apparent agent, defendant, CECELIA B. BACOM, C.N.M., was negligent in one or more of the following respects:

- (a) Failed to properly manage prolonged second stage of labor;
- (b) Failed to insert internal fetal monitoring in a VBAC patient with repetitive decelerations;
- (c) Failed to act timely upon repetitive decelerations in a VBAC patient;
- (d) Failed to present for a bedside evaluation during protracted active stage of labor;
- (e) Failed to have a competent surgeon present to perform a repeat cesarean section and;
- (f) Negligently caused surgical trauma by creating a vesicovaginal fistula when she lacerated the bladder anteriorly and posteriorly.

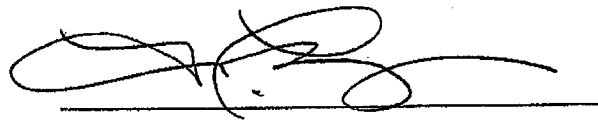
20. That as a direct and proximate result of one or more of the above-mentioned negligent acts or omissions by defendant, PCC HEALTH, by and through the acts and/or omissions of its agent, servant, employee and/or apparent agent, defendant, CECELIA B. BACOM, C.N.M., plaintiff's decedent, ERIC ISAAC VENEGAS GODINEZ, suffered injuries of a personal and pecuniary nature resulting in his death on August 29, 2012.

21. Plaintiff, MARIA ESTER GODINEZ, brings this cause of action on behalf of the estate of the deceased pursuant to 740 ILCS 180/1 commonly known as the Illinois Wrongful Death Act.

22. Pursuant to the Illinois Code of Civil Procedure, Section 2-622, the Affidavit of the attorney for the plaintiff is attached hereto as Exhibit A, along with a report of a qualified health professional as Exhibit B.

WHEREFORE, plaintiff, MARIA ESTER GODINEZ, Individually and as Personal Representative of the Estate of ERIC ISAAC VENEGAS GODINEZ, Deceased, demands

judgment against defendant, PCC COMMUNITY WELLNESS CENTER d/b/a PCC SOUTH FAMILY HEALTH CENTER d/b/a PCC LAKE STREET FAMILY HEALTH CENTER, for a sum in excess of the jurisdictional limits of the Circuit Court of Cook County, Illinois.

A handwritten signature in black ink, appearing to be "F. Morrissey", written over a horizontal line.

Francis P. Morrissey
Burke Wise Morrissey & Kaveny
161 North Clark Street
Suite 3250
Chicago, Illinois 60601
(312) 580-2040
Attorney No. 46603